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4 BILL NO. S-74-07-43

5 SPECIAL ORDINANCE S- 95-74

6 AN ORDINANCE authorizing the issuance and sale of  
7 \$650,000 Economic Development Revenue Bonds  
8 Series 1974 (New Haven Wire & Cable Project) of the  
9 City of Fort Wayne, Indiana, for the purpose of  
10 acquiring real estate, machinery, equipment and  
11 related property comprising economic development  
12 facilities for lease and sale to New Haven  
13 Wire & Cable, Inc. authorizing execution of the  
14 Lease, providing for the pledge of revenues  
15 for the payment of said bonds, authorizing  
16 a mortgage and indenture of trust appropriate  
17 for the protection and disposition of such  
18 revenues; and authorizing the sale of said bonds.

19 WHEREAS, the Fort Wayne Development Commission has developed and  
20 filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne  
21 Development Commission Regarding Facilities to be Purchased for New Haven  
22 Wire & Cable, Inc." and the City Clerk has presented the same to the Common Council  
23 and

24 WHEREAS, the Fort Wayne City Plan Commission has filed its written  
25 comments concerning said proposed plan and approving the same; and

26 WHEREAS, it is in the best interest of the City of Fort Wayne and the  
27 economic development thereof, that said Report be approved and that the acqui-  
28 sition and construction of the industrial facilities mentioned in said report be im-  
29 plemented; and

30 WHEREAS, the Fort Wayne Development Commission adopted a reso-  
31 lution on \_\_\_\_\_, approving the financing of said industrial  
32 facilities as described in said Report to be financed by the loan to New Haven  
33 Wire & Cable, Inc. of proceeds from the issue and sale of revenue bonds of the City  
34 of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of  
35 Trust, and finding that the proposed financing complies with the purposes and pro-  
visions of I.C. 1974, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for pre-  
sentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Develop-  
ment Commission together with the comments thereon by the Fort Wayne Plan  
Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives  
its approval of the project reported on in the above mentioned Report of the Fort  
Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and  
sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof

to New Haven Wire & Cable, Inc. for the purpose of acquiring and constructing the recreational facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. the form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I.C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be insered in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (New Haven Wire & Cable Project) in the total principal amount of Six Hundred Fifty Thousand Dollars (\$650,000.00) for the purpose of acquiring funds to loan to New Haven Wire & Cable, Inc. so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by New Haven Wire & Cable, Inc. on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed \_\_\_\_ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of New Haven Wire & Cable, Inc.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (New Have Wire & Cable Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

APPROVED AS TO FORM  
AND LEGALITY.

  
CITY ATTORNEY

  
Councilman

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: \_\_\_\_\_

Charles W. Westerman  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by V. Schmidt, and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 7-9-74

Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 8-95-74 on the 9th day of July, 1974.

ATTEST: (SEAL)

Charles W. Westerman  
CITY CLERK

Samuel J. Talarico  
PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P. M., E.S.T.

Sam J. Schmidt  
MAYOR

SUSPENSION OF RULES

BILL NO. S 74-07-43

Councilman Bing, moved to suspend the rules on passage of BILL NO. S-74-07-43, at this meeting of July 9 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman V. Schmidt, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Spokane ORDINANCE was accordingly placed on its passage.

DATE: 7/9/74  
Samuel J. Talarico  
 PRESIDING OFFICER

Charles W. Winkelman  
 CITY CLERK

	<u>9</u> <u>AYES</u>	<u>0</u> <u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT</u>
<u>BURNS</u>	✓				
<u>HINGA</u>	✓				
<u>KRAUS</u>	✓				
<u>NUCKOLS</u>	✓				
<u>MOSES</u>	✓				
<u>D. SCHMIDT</u>	✓				
<u>V. SCHMIDT</u>	✓				
<u>STIER</u>	✓				
<u>TALARICO</u>	✓				

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as A-95-74.

ATTEST:

(SEAL)

DATE: 7/9/74

Charles W. Winkelman  
 CITY CLERK

DIGEST SHEETTITLE OF ORDINANCE SPECIALS-74-07-43DEPARTMENT REQUESTING ORDINANCE DEVELOPMENT COMMISSIONSYNOPSIS OF ORDINANCE Authorizing the issuance and sale of \$650,000 Economic DevelopmentRevenue Bonds Series 1974 (New Haven Wire & Cable Project) of the City of FortWayne, Indiana for the purpose of acquiring real estate, machinery, equipment,and related property comprising economic development facilities for lease and saleto New Haven Wire & Cable, Inc. authorizing execution of the Lease, providing forthe pledge of revenues for the payment of said bonds, authorizing a mortgageand indenture of trust appropriate for the protection and disposition of suchrevenues; and authorizing the sale of said bondsEFFECT OF PASSAGE Sale of bonds and financing for New Haven Wire & Cable

EFFECT OF NON-PASSAGE \_\_\_\_\_

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) NoneASSIGNED TO COMMITTEE (PRESIDENT) Finance